

RESPONSE TO RESTRICTION REQUIREMENT
DATED NOVEMBER 1, 2005

Appln No. 10/759,714

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November 17, 2005

REMARKS

This is in response to the Office Action dated November 1, 2005 imposing a restriction requirement. Reconsideration is respectfully requested.

Election of Claims in Response to Restriction

Applicants hereby elect, with traverse, Group I, Claims 1-15, drawn to a valve for controlling fluid flow as identified by the Examiner.

Traversal of Restriction as to Claims

Applicants hereby traverse the restriction of claims into Groups I and II, noting that both sets of Claims 1-15 and 16-29 may be searched in the same class and subclass, as identified and noted by the Examiner. One of the criteria necessary for proper restriction is that there must be a serious burden on the Examiner if restriction is required (see MPEP subsection 803). Applicants respectfully request that the Examiner reconsider the restriction of the claims in Groups I and II, as it is not readily apparent how a serious burden is placed on the Examiner when all of the Claims 1-29 may be searched in the identical class and subclass. Applicants urge the Examiner to withdraw the restriction as to claims of Groups I and II and examine them together in the application.

Election As to Species

Applicants hereby elect Species I, Figures 1-7, for examination on the merits. Applicants further identify Claims 1-7, 9, 10, 16-18, 23, 24, 26-36, 38-40, 47 and 48 as claims that are readable on the elected species.

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Withdrawal of Pending Claims

Applicants have withdrawn Claims 30-48 in view of the restriction imposed by the Examiner. Upon a decision regarding the finality of the restriction of Groups I and II (Claims 1-15 and 16-29 respectively), applicants will withdraw and/or cancel further claims as appropriate.

Respectfully submitted,
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